



Memorandum

TO: MAYOR REED

FROM: Vice Mayor Madison Nguyen

SUBJECT: BUDGET DOCUMENT

DATE: May 23, 2012

Approved

Madison Nguyen

RECOMMENDATION

That the following recommendation be enacted.

Proposal

Program/Project Title: Homeless Encampment Cleanup Program - Phase I

Amount of City Funding Required: \$150,000

Fund Type (i.e. General Fund, C&C funds, etc.) Recycle Plus Unrestricted Late Fee Revenue in the Integrated Waste Management Fund

Anticipated Outcomes: Requested funding changes would affect benefits or services for San José residents, businesses, community groups, etc., as described below: (Use as much space as required.)

Requested funds would allow the City of San Jose's Environmental Services Department to implement the Homeless Encampment Cleanup Program - Phase I for summer 2012.

There have been increased concerns in the community about the problem of growing homeless encampments in the City of San Jose. Three main issues have been raised in relation to these encampments - the impact they have on neighborhoods, environmental issues along our waterways and parks as a result of garbage and waste, and the housing and support services needs of those living in the encampments.

According to the 2011 Santa Clara County Homeless Census and Survey, there are 977 sheltered and unsheltered individuals and families in the City of San Jose alone and a total of 6,097 in Santa Clara County. However, based on staff observations there are approximately 60 homeless encampments, housing between 600-900 residents. These encampments are located along waterways, freeways and other open spaces in the City. These properties are owned by multiple organizations such as the City, County, CalTrans, Caltrain, Santa Clara Valley Water District and Valley Transportation Authority.

The City has been addressing this issue since 1990 by actively partnering with different stakeholders such as the Santa Clara Valley Water District to conduct clean-ups of encampments along the creeks. Although this partnership has been successful, recent discussions have led to the suspension of these clean-up efforts to evaluate best practices and ensure that the City and other organizations comply with the legal requirements associated with the clean-ups.

In 2006, the City of Fresno and Caltrans conducted homeless encampment clean-ups after receiving numerous resident complaints. The City of Fresno seized and immediately destroyed the homeless' properties. These actions then prompted a lawsuit against Fresno. The plaintiffs were granted a \$1.5 million award plus \$850,000 in attorney's fees.

In order to avoid lawsuits such as the one experienced by the City of Fresno, the City's Environmental Services Department in conjunction with the Housing Department, is launching the Homeless Encampment Cleanup Program Phase I for summer 2012. Under this Phase I program, clean-ups will be conducted at three encampment sites with staff and the San Jose Conservation Corps sorting and documenting the property left behind. These items will then be stored at the former San Jose Family Shelter located at 1600 Las Plumas Avenue for 90 days.

This request is intended to retain the flexibility to access one time funds for the implementation of the City's Homeless Encampment Cleanup Program Phase I for summer 2012.

Funding Source

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Department or Organization: Environmental Services

Department or Organization Contact (Please list contact information for the individual that certified cost estimates contained within your recommendation.)

Name: Jo Zientek

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This change is:

X One-time Ongoing

The City Service Area to which the change best relates:

- ☐ Community and Economic Development Services
- ☒ Environmental and Utility Services
- ☐ Neighborhood Services
- ☐ Public Safety
- ☐ Strategic Support
- ☐ Transportation and Aviation Services